

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.11064 of 2005

Between:

- 1 V. Tulasiram S/o. Narayana swamy
R/o. Gaganpahad Village, Premavathipet, Rajendranagar Mandal,
Ranga Reddy District.
- 2 V.T. Prakash S/o. V. Tulasiram
R/o. Gaganpahad Village, Premavathipet, Rajendranagar Mandal,
Ranga Reddy District.
- 3 V. Bharathi W/o. V. Tulasiram
R/o. Gaganpahad Village, Premavathipet, Rajendranagar Mandal,
Ranga Reddy District.
- 4 V. Jagath Kumar S/o. Narayana Swamy
R/o. Gaganpahad Village, Premavathipet, Rajendranagar Mandal,
Ranga Reddy District.
- 5 N. Narsing Rao S/o. Rangaiah
R/o. Sultanpally Village, Shamshabad Mandal,
Ranga Reddy District.
- 6 K. Sarala W/o. Gnaneswar
R/o. Yapral, Ranga Reddy District.

..... PETITIONERS

AND

- 1 Government of Andhra Pradesh, Rep. by its Secretary, Revenue
Department, Secretariat, Hyderabad.
- 2 The District Collector, Ranga Reddy District at Hyderabad,.
- 3 The Revenue Divisional Officer, Chevella Division, Ranga Reddy
District at Hyderabad.
- 4 The Mandal Revenue Officer, Shamshabad Mandal, Ranga Reddy
District.
- 5 P. Yugender Goud S/o. Prabhulingam,
- 6 T. Narasimha Reddy S/o. Bal Reddy
- 7 E. Narsimha Goud S/o. Anjaiah
- 8 P. Pavan Kumar S/o. Satya Dev
- 9 E. Agireddy S/o. Bal Reddy

10 M. Yadaiah S/o. Gopaiah
11 M. Laxmaiah S/o. Galaiah,
(R.R. 5 to 11 are R/o. Sultanpally Village, Shamshabad Mandal,
Ranga Reddy District.)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ and direct the respondents to act in accordance with law and forbear from interfering with the possession and enjoyment of the petitioners over the land in Sy. Nos. 122 to 126, 143 to 150, 152/A, 152/B, 153 and 154 of Sultanpally Village, Shamshabad Mandal, Ranga Reddy District and further direct the respondents to forbear from assigning the lands of the petitioners to third parties.

Counsel for the Petitioners: MR.V.VENKATARAMANA

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE

Counsel for the Respondent Nos.5 to 11: None appeared.

The Court, at the admission stage, made the following:

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ORAL ORDER:

The Petitioners apprehend dispossession by the respondents. They claim to be in possession and enjoyment of lands in Survey Nos.122 to 126, 143 to 150, 152/A, 152/B, 153 and 154 of Sultanpalli village, Shamshabad Mandal, Rangareddy District. They claim title to the lands under registered sale deeds of the year 1982 and assert in the writ petition that ignoring the petitioners' legitimate title to the lands in question, the respondent Nos.1 to 4 are out to assign the lands to third parties and that these respondents are also out to dispossess the petitioners otherwise than in accordance with due process of law.

In so far as respondent Nos.5 to 11 are concerned, no direction can be granted by this Court against any alleged action of these respondents seeking to dispossess the petitioners as the petitioners have an appropriate remedy against such private respondents before the jurisdictional Civil Court. In so far as respondent Nos.1 to 4 are concerned, these respondents being the State or State actors are obligated to so conduct themselves as to be in accordance with the mandates of the rule of law of the Republic.

On the aforesaid analysis, the writ petition is disposed of directing the respondent Nos.1 to 4 not to take any steps to dispossess the petitioners, if the petitioners are in possession and enjoyment of the lands in Survey Nos. 122 to 126, 143 to 150, 152/A, 152/B, 153 and 154 of Sultanpalli village, Shamshabad Mandal, Rangareddy District, except by following the due process of law. The petitioners are also at liberty to seek appropriate remedies for establishing their title and possession of the lands in question. No costs.

GODA RAGHURAM, J.

Date: 10.05.2005

Nsr/Bsb

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Revenue Department, Government of Andhra

Pradesh, Secretariat, Hyderabad.

2 The District Collector, Ranga Reddy District at Hyderabad,.

3 The Revenue Divisional Officer, Chevella Division, Ranga Reddy

District at Hyderabad.

4 The Mandal Revenue Officer, Shamshabad Mandal, Ranga Reddy

District.

5 Two CCs to GP for Revenue, High Court of AP, Hyderabad

(OUT)

6 Two CD copies